

REMARKS

This Amendment After Final is in response to the final Office action mailed on February 3, 2010. In the event any fees are due, kindly charge the cost thereof to our Deposit Account No. 13-2855.

Status of the Claims

Claims 14 and 21-37 are pending in the present application. Claim 14, second line, is amended to specify that the printhead is a "thermal" printhead. This is supported in the second line of page 5 of the description and does not add any new matter. This amendment has also been made to equivalent Claims 23 and 25.

The penultimate clause of claim 14, as amended, now reads "a compressor arranged to exert a biasing force on one of said printhead and said platen when said one of said printhead and said platen abuts said image receiving substrate and said driver drives said first frame relative to said support and towards said second frame, such that a pressure applied to the image receiving substrate by said one of said printhead and said platen can be controlled". This amendment is supported by the application as filed and does not add any new matter. For example the first paragraph of page 13 of the description discloses increasing the compressive force on the compressor as the printhead and platen are driven towards each other. The final paragraph of page 13 of the description discloses that it is therefore possible to control the pressure applied to the image receiving tape by the printhead. Furthermore support can be found in claim 21. We have amended Claim 22 such that it is directed towards a "label printing device" as opposed to a printhead assembly. This is clearly supported in the final sentence of page 14 of the description where it is stated "the microprocessor chip 100 outputs data to drive a display via a display driver chip 109 to display a label to be printed...".

Claim 22 has further been amended to include the feature of "a detecting device for detecting information stored with said image receiving substrate". This is supported by the second sentence of page 14 of the description.

Response to Rejections Under 35 U.S.C. § 102

Claims 14, 21, 23-30, 36 and 37 were rejected as allegedly anticipated by US2002/0110395 ("Cassiano"). The final sentence of paragraph 1 of Cassiano discloses that the printing head can be of the impact type, for example with needles, or without impact, for example of the inkjet type. Cassiano does not disclose a thermal printhead, and therefore it is respectfully submitted that Claim 14, as amended, is not anticipated by Cassiano.

Claim 14 also recites "a driver for driving said first frame relative to said support to cause the one of said printhead and platen to move in a linear direction toward the other". The Office action indicates that the wheel 35 of Cassiano is considered as the "driver" recited in claim 14. However, in Cassiano, the wheel is fixed to and underlies the printhead so as to keep the printhead a fixed distance away from the document to be printed on. Therefore, the wheel of Cassiano acts to separate the printhead and platen, and does not "cause the one of said printhead and platen to move in a linear direction toward the other", as recited in claim 14.

This is an important difference since in the Applicant's claimed embodiments, the driver can be driven so as to separate the platen and printhead by a desired distance "such that a pressure applied to the image receiving tape by said one of said printhead and said platen can be controlled", as also recited.

Accordingly, in the claimed embodiments, a pressure applied to the image receiving medium by the printhead / platen can be controlled so that, for example, a constant pressure can be applied even if the thickness of the image receiving medium varies.

This contrasts with Cassiano, in which the springs 23, 25, 53 and 55 are passive to the thickness of the image receiving medium. For example, if a thick image receiving medium is being used then the springs will be compressed more than if a thin image receiving medium is used. The amount of compression and a pressure applied to the image receiving medium therefore cannot be controlled to the same degree as in the Applicant's claims.

Being able to control the pressure applied to the image receiving medium by the printhead / platen is particularly important in thermal printing since it can affect the printing quality.

It is therefore respectfully submitted that Claim 14, as amended, as well as amended Claims 23 and 25, are not anticipated by Cassiano. In view of the fact that independent claims

14, 23 and 25, as amended, are not anticipated by Cassiano, it is respectfully submitted that the claims depending therefrom, namely Claims 21, 28-30, 36 and 37 (depending from Claim 14), Claim 24 (depending from Claim 23), and Claims 26 and 27 (depending from Claim 25), are also not anticipated by Cassiano.

Claims 22 and 31-35 were rejected as allegedly anticipated by Regev et al., US 2002/0044811 A1 ("Regev"). Regev is related to a large scale industrial printing device. It therefore does not disclose a "label printing device" as recited in amended Claim 22. In Regev it is furthermore disclosed that the movement controller which controls movements of the table 120 "may receive information regarding the thickness of the substrate to be printed on, and the desired distance between the printhead and the substrate and may calculate the desired vertical position of table 120". Regev is silent as to where this information is received from and how it is received. Therefore Regev does not disclose "a detecting device for detecting information stored with said image receiving substrate", as recited in amended claim 22.

Embodiments according to Claim 22 are related to a different type of printing device to that disclosed in Regev. For example in the final paragraph of page 4 of the description it is disclosed that the printing device may be a handheld or small desktop device. This is a typical size for a "label printing device". This clearly differs from the industrial printing device of Regev. Such handheld or small desktop devices are typically used in offices or other work places for labelling various items. It is common for a user of such a label printer to regularly change the supply roll so as to produce different types of labels for different purposes. In such devices it is therefore particularly useful for the device to be able to "set" itself when a certain type of image receiving medium is inserted into the printer. In embodiments of the Applicant's claims, this is achieved by the detecting device which can detect information stored with the image receiving substrate and subsequently cause the printhead and platen to move in a linear direction towards each other to an optimum printing position for that particular type of image receiving substrate. This makes it very quick and easy for a user to switch between supplies of image receiving substrates and to then be able to quickly print onto the image receiving substrate.

By contrast, Regev does not disclose any such detecting device and therefore the printing device of Regev would not appear to be capable of automatically setting itself to the correct printing position when the web is changed. However, in Regev this is not a problem since in an

industrial printer the supply web will not be changed as frequently. Like Claim 22, independent Claim 34, as amended, recites "detecting information stored with said image receiving substrate". It is respectfully submitted that independent Claims 22 and 34, as amended, as well as dependent Claims 31-33 and 35, are therefore not anticipated by Regev.

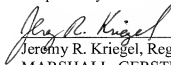
Conclusion

It is respectfully submitted that independent Claims 14, 23 and 25, as amended, and the claims depending therefrom, are not anticipated by Cassiano, and independent Claims 22 and 34 and the claims depending therefrom are not anticipated by Regev, for the reasons explained above. The Examiner's reconsideration and favorable action are therefore respectfully solicited. If the Examiner has any questions that might easily be resolved by telephone, the Examiner is invited to contact the Applicant's undersigned representative at (312) 474-9561.

A petition for one-month extension of time, to and including June 3, 2010, is submitted herewith. In the event any additional fees are necessary, kindly charge the cost thereof to our Deposit Account No. 13-2855.

Date: May 4, 2010

Respectfully submitted,



Jeremy R. Kriegel, Reg. No. 39,257
MARSHALL, GERSTEIN & BORUN LLP
233 South Wacker Drive, 6300 Willis Tower
Chicago, Illinois 60606
Tel. (312) 474-6300
Fax (312) 474-0448

Attorney for Applicant